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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/852,915	05/11/2001	Bo Stefan Pontus Wallentin	2380-336	4743
23117	7590	12/14/2005	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			BEAMER, TEMICA M	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/852,915

Applicant(s)WALLENTIN, BO STEFAN
PONTUS**Examiner**

Temica M. Beamer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-19, 21-38 and 40-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7, 16, 26, 35, 45, 62 and 63 is/are allowed.
- 6) ☒ Claim(s) 2-5, 8, 9, 12, 17-19, 21-24, 27-31, 34, 36-38, 40-43, 46-50, 53, 55-60 and 64 is/are rejected.
- 7) ☒ Claim(s) 6, 10, 11, 13-15, 25, 32, 33, 44, 51, 52, 54 and 61 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 2-5, 8, 9, 11, 12, 17-19, 21-24, 27-31, 34, 36-38, 40-43, 46-50, 53, 55-60 and 64 is withdrawn in view of the newly discovered reference(s) to Lehtovirta et al (Lehtovirta), U.S. Patent Pub. No. 2001/0034228 in view of Leppisaari et al (Leppisaari), U.S. Patent No. 6,532,227. Rejections based on the newly cited reference(s) follow.

In the remarks filed 5/9/2005, applicant argued that Lehtovirta fails to disclose releasing all connections of the radio network control node as evidenced by the fact that the RAB between UE1 and the CSCN remains intact. Although in this embodiment the RAB between UE1 and the CSCN remains intact, in another embodiment, Lehtovirta discloses that when a failure is detected, all connections (including all RAB's and signaling connections) associated with the failed node should be released (0038).

This embodiment reads on the limitations of releasing all connections. Based on these remarks, the rejection to claims 2-5, 8, 9, 11, 12, 17-19, 21-24, 27-31, 34, 36-38, 40-43, 46-50, 53, 55-60 and 64 is set forth below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2-5, 8, 9, 12, 17-19, 21-24, 27-31, 34, 36-38, 40-43, 46-50, 53, 55-60 and 64 rejected under 35 U.S.C. 103(a) as being unpatentable over Lehtovirta in view of Leppisaari.

Regarding claims 2, 18, 19, 21, 30, 34, 37, 38, 40, 49, 53 and 56-58, Lehtovirta discloses ascertaining a failure of the radio network control node (RNC), and upon such failure, preparing an omnibus release message (RESET message) to indicate that all connections controlled by the RNC are to be released (0038).

Lehtovirta, however, fails to disclose wherein the message has a first selected parameter having a predetermined value.

Leppisaari discloses this limitation (col. 5: lines 4-45).

At the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Lehtovirta with the teachings of Leppisaari for the purpose of ensuring that the correct connections are released.

Regarding claims 3, 22, 41, and 59, the combination of Lehtovirta and Leppisaari discloses when the first selected parameter is in a reserved range of values, all radio connections controlled by the radio network control node are released (Leppisaari, col. 5: lines 4-45).

Regarding claims 4, 23, and 42, the combination of Lehtovirta and Leppisaari discloses the radio network control node is a serving radio network control node, and further comprising preparing the omnibus release message upon failure of the serving radio network control node (Lehtovirta, paragraphs 0038, 0050).

Regarding claims 5, 24, 43, and 60, the combination of Lehtovirta and Leppisaari discloses the first selected parameter is included in a mobile terminal global identity information element of the omnibus release message (Leppisaari, col. 5: lines 4-7).

Regarding claims 25, 44, and 61, the combination of Lehtovirta and Leppisaari discloses the first selected parameter is included in a radio network temporary identity information element of the omnibus release message (Leppisaari, col. 5: lines 4-7 (temporary flow identity code)).

Regarding claims 8, 27, and 46, the combination of Lehtovirta and Leppisaari discloses preparing the omnibus release message whereby, when a first selected parameter thereof has a first predetermined value and a second selected parameter thereof has a second predetermined value, all radio connections in cells controlled by the radio network node are released (Leppisaari, col. 5: lines 4-45).

Regarding claims 9, 28, and 47, the combination of Lehtovirta and Leppisaari discloses when the first selected parameter is in a first reserved range of values, all radio connections in cells controlled by the radio network control node are released (Leppisaari, col. 5: lines 4-45).

Regarding claims 12, 31, and 50, the combination of Lehtovirta and Leppisaari discloses the first selected parameter is included in a mobile terminal global identity information element of the omnibus release message (Leppisaari, col. 5: lines 4-7).

Regarding claims 17, 36, 55, and 64, the Examiner takes official notice that it would have been well known to one of ordinary skill in the art at the time of the invention to include transmitting the omnibus release message on paging channel. The

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motivation for this would have been to include the message on a channel in which all relevant recipients could receive the release message.

Allowable Subject Matter

4. Claims 6, 10, 11, 13-15, 25, 32, 33, 44, 51, 52, 54 and 61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 7, 16, 26, 35, 45, 62 and 63 are allowed.

Specification

6. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

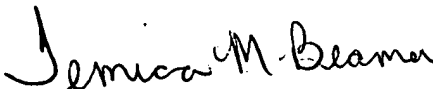
Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Beamer whose telephone number is (571) 272-7797. The examiner can normally be reached on Monday-Thursday (alternate Fridays) 7:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tmb


TEMICA BEAMER
PRIMARY EXAMINER
12/12/05